

SUSAN I. CRONE
104 Hollister Way South
Glastonbury, CT 06033

Defendant, In Pro Per

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re

MARK ELIAS CRONE,
Debtor.

Case No. 2:17-bk-12392-BR

Chapter 7

JEFFREY A. RINDE and CKR GLOBAL
ADVISORS, INC.,

Plaintiffs,

v.

SUSAN CRONE, GARY GORHAM and
LEONIDAS P. FLANGAS,

Defendants.

Adv. Proc. No. 2:17-01289-BR

**DEFENDANT SUSAN CRONE'S
ANSWER TO VERIFIED COMPLAINT**

Status Conference

Date: To be set

Time: To be set

Place: Courtroom "1668"
255 East Temple St.
Los Angeles, California 90012

Defendant Susan Crone (“Defendant”) hereby answers that certain “*Verified Complaint*” (the “Complaint”) filed by plaintiffs Jeffrey A. Rinde (“Rinde”) and CKR Global Advisors, Inc. (“CKR,” and together with Rinde, the “Plaintiffs”) in the above-captioned adversary proceeding as follows:

SUMMARY/OVERVIEW

1. Paragraph 1 of the Complaint consists of legal conclusions and is a summary of the other allegations in the Complaint. To the extent paragraph 1 of the Complaint alleges any additional facts not addressed *infra* herein, Defendant lacks sufficient information or belief to admit or deny the allegations in paragraph 1 of the Complaint, and on that basis, denies the allegations contained therein. Defendant admits that “Exhibit A” and the Husband’s bankruptcy documents alleged in paragraph 1 speak for themselves.

THE PARTIES

2. Defendant lacks sufficient information or belief to admit or deny the allegations in paragraph 2 of the Complaint, and on that basis, denies the allegations contained therein.

3. Defendant lacks sufficient information or belief to admit or deny the allegations in paragraph 3 of the Complaint, and on that basis, denies the allegations contained therein. Defendant admits that “Exhibit B” alleged in paragraph 3 speaks for itself.

4. Defendant lacks sufficient information or belief to admit or deny the allegations in paragraph 4 of the Complaint, and on that basis, denies the allegations contained therein. Defendant admits that “Exhibit C” alleged in paragraph 4 speaks for itself.

5. Defendant admits that “Exhibit C” alleged in paragraph 5 speaks for itself. To the extent that there are any other factual allegations that need to be addressed, Defendant lacks sufficient information or belief to admit or deny the allegations in paragraph 5 of the Complaint, and on that basis, denies the allegations contained therein.

6. Defendant lacks sufficient information or belief to admit or deny the allegations in paragraph 6 of the Complaint, and on that basis, denies the allegations contained therein.

1 7. Defendant lacks sufficient information or belief to admit or deny the
2 allegations in paragraph 7 of the Complaint, and on that basis, denies the allegations contained
3 therein.

4 8. Defendant admits that she is a resident of the state of Connecticut, but denies
5 all other allegations in paragraph 8 of the Complaint.

6 9. Defendant denies the allegations in paragraph 9 of the Complaint.

7 10. Defendant lacks sufficient information or belief to admit or deny the
8 allegations in paragraph 10 of the Complaint, and on that basis, denies the allegations contained
9 therein.

10 11. Defendant lacks sufficient information or belief to admit or deny the
11 allegations in paragraph 11 of the Complaint, and on that basis, denies the allegations contained
12 therein.

13 12. Defendant admits that defendant Leonides P. Flangas (“Flangas”) was and still
14 is her general counsel, but lacks sufficient information or belief to admit or deny all other the
15 allegations in paragraph 12 of the Complaint, and on that basis, denies the allegations contained
16 therein.

17 13. Defendant lacks sufficient information or belief to admit or deny the
18 allegations in paragraph 13 of the Complaint, and on that basis, denies the allegations contained
19 therein.

20 14. Paragraph 14 of the Complaint consists of a legal conclusion and avers no
21 facts. To the extent paragraph 14 of the Complaint alleges any facts, Defendant lacks sufficient
22 information or belief to admit or deny the allegations in paragraph 14 of the Complaint, and on
23 that basis, denies the allegations contained therein.

24 **FACTUAL ALLEGATIONS**

25 15. The Complaint has left out Paragraph 15 of the Complaint.

26 16. The Complaint has left out Paragraph 16 of the Complaint.

27 17. Defendant lacks sufficient information or belief to admit or deny the
28 allegations in paragraph 17 of the Complaint, and on that basis, denies the allegations contained

1 therein.

2 18. Defendant lacks sufficient information or belief to admit or deny the
3 allegations in paragraph 18 of the Complaint, and on that basis, denies the allegations contained
4 therein. Defendant admits that “Exhibit D” alleged in paragraph 18 speaks for itself.

5 19. Defendant lacks sufficient information or belief to admit or deny the
6 allegations in paragraph 19 of the Complaint, and on that basis, denies the allegations contained
7 therein.

8 20. Defendant lacks sufficient information or belief to admit or deny the
9 allegations in paragraph 20 of the Complaint, and on that basis, denies the allegations contained
10 therein.

11 21. Defendant admits that, Plaintiffs commenced the Prior Action against the
12 Husband, but denies all of the other allegations, if any, in paragraph 21 of the Complaint.

13 22. Defendant lacks sufficient information or belief to admit or deny the
14 allegations in paragraph 22 of the Complaint, and on that basis, denies the allegations contained
15 therein.

16 23. Defendant lacks sufficient information or belief to admit or deny the
17 allegations in paragraph 23 of the Complaint, and on that basis, denies the allegations contained
18 therein.

19 24. Defendant admits that “Exhibit E” and “Exhibit F” alleged in paragraph 24
20 speak for themselves. To the extent that there are any other factual allegations that need to be
21 addressed, Defendant denies all such allegations in paragraph 24 of the Complaint.

22 25. Paragraph 25 of the Complaint consists of a legal conclusion and avers no
23 facts. To the extent paragraph 25 of the Complaint alleges any facts, Defendant lacks sufficient
24 information or belief to admit or deny the allegations in paragraph 25 of the Complaint, and on
25 that basis, denies the allegations contained therein.

26 26. Defendant lacks sufficient information or belief to admit or deny the
27 allegations in paragraph 26 of the Complaint, and on that basis, denies the allegations contained
28 therein.

1 27. Defendant lacks sufficient information or belief to admit or deny the
2 allegations in paragraph 27 of the Complaint, and on that basis, denies the allegations contained
3 therein.

4 28. Defendant lacks sufficient information or belief to admit or deny the
5 allegations in paragraph 28 of the Complaint, and on that basis, denies the allegations contained
6 therein. Further, the last sentence of paragraph 28 of the Complaint consists of a legal conclusion
7 that does not require a response.

8 **ANSWER TO FIRST COMPLAINT FOR RELIEF**

9 29. Defendant re-alleges, and incorporates herein by this reference each and every
10 response to the allegations contained in paragraphs 1 through 28, inclusive, of the Complaint as
11 though set forth in full.

12 30. Defendant denies the allegations in paragraph 30 of the Complaint.

13 **ANSWER TO SECOND COMPLAINT FOR RELIEF**

14 31. Defendant re-alleges, and incorporates herein by this reference each and every
15 response to the allegations contained in paragraphs 1 through 28, inclusive, of the Complaint as
16 though set forth in full.

17 32. Defendant denies the allegations in paragraph 32 of the Complaint.

18 33. Defendant denies the allegations in paragraph 33 of the Complaint.

19 **PRAYER FOR RELIEF**

20 All paragraphs in this section consist of legal conclusions and aver no facts. To the
21 extent that these paragraphs allege any facts, Defendant lacks sufficient information to admit or
22 deny the allegations in these paragraphs, and on that basis, denies the allegations contained
23 therein.

24 **AFFIRMATIVE DEFENSES**

25 As separate and additional defenses, Defendant alleges as follows.¹

27 ¹ By alleging the matters set forth in its affirmative defenses, Defendant does not thereby allege or admit that it has
28 the burden of proof and/or burden of persuasion with respect to any of these matters. Moreover, no incidental or
implied admissions are intended by these affirmative defenses and none should be made.

FIRST AFFIRMATIVE DEFENSE

[Failure To State Claim For Relief]

The Complaint, and each claim of relief alleged therein, fails to state a claim for relief upon which relief may be granted.

SECOND AFFIRMATIVE DEFENSE

[Good Faith]

The Complaint, and each claim of relief alleged therein, is barred because the actions respecting the subject matter alleged in the Complaint were undertaken in good faith, with the absence of malicious intent, and constitute lawful, proper and justified means to further Defendant's purpose.

THIRD AFFIRMATIVE DEFENSE

[Statute Of Limitations]

The Complaint, and each claim for relief contained therein, is barred by the applicable statute of limitations.

FOURTH AFFIRMATIVE DEFENSE

[Indemnity]

Defendant is not legally responsible in any fashion with respect to the damages claimed by Plaintiffs. However, in the event Defendant is held liable to Plaintiffs, which liability is expressly denied, and any co-defendants are likewise held liable, Defendant is entitled to a percentage contribution of the total liability from said co-defendants in accordance with the principles of implied or express indemnity.

FIFTH AFFIRMATIVE DEFENSE

[Acts And Omissions Of Plaintiffs]

Plaintiffs' alleged damages and claims, either in whole or in part, are due to the acts and/or omissions of Plaintiffs or the acts and/or omissions of third parties, and not Defendant.

SIXTH AFFIRMATIVE DEFENSE

[Estoppel]

By virtue of their conduct both before and after their alleged discovery of the acts

underlying the Complaint, Plaintiffs have ratified the alleged acts of Defendant and are estopped from asserting any claims against Defendant.

SEVENTH AFFIRMATIVE DEFENSE

[Unclean Hands]

Any and all losses or damages, if any, sustained by Plaintiffs are barred as a result of Plaintiffs' unclean hands.

EIGHTH AFFIRMATIVE DEFENSE

[No Damages]

Plaintiffs have not suffered any damages as alleged in their Complaint.

NINTH AFFIRMATIVE DEFENSE

[Passive Or Imputed Liability]

In the event Defendant is held liable to Plaintiffs, which liability is expressly denied herein, then the liability of Defendant would be passive, imputed or secondary, while other third parties would be actively or primarily liable for Plaintiffs' alleged injuries and damages.

TENTH AFFIRMATIVE DEFENSE

[Unjust Enrichment]

The Complaint, and each claim for relief contained therein, is barred under the doctrine of unjust enrichment.

ELEVENTH AFFIRMATIVE DEFENSE

[Lack of Standing]

The bankruptcy estate of the above-entitled debtor (the "Debtor") has property interests in the property at issue and claims asserted in the Complaint and, as such, the bankruptcy trustee has exclusive standing to bring such claims. *See Matter of Educators Group Health Trust*, 25 F.3d 1281, 1283-84 (5th Cir. 1984) (If a claim belongs to the estate, "then the trustee has exclusive standing to assert the claim.").

TWELFTH AFFIRMATIVE DEFENSE

[Damages Not Recoverable]

The Complaint seeks damages which are not properly recoverable under the theories set

1 forth in the Complaint.

2 **THIRTEENTH AFFIRMATIVE DEFENSE**

3 **[Causation]**

4 Plaintiffs' claims are barred, in whole or in part, because there is no causation between
5 Defendant's alleged conduct and the damages sought in the Complaint.

6 **FOURTEENTH AFFIRMATIVE DEFENSE**

7 Defendant's discovery and investigation is ongoing and Defendant reserves the right to
8 assert additional affirmative defenses and to supplement, alter or change its response upon
9 revelation of more definitive facts and upon the undertaking of discovery and further
10 investigation in this matter.

11 Dated: June 18, 2017

12 Respectfully Submitted,

13
14 By: [see next page]

SUSAN I. CRONE

15 Defendant, In Pro Per
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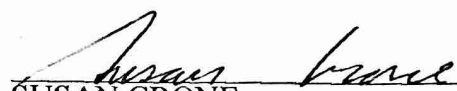
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